



PATENT  
Customer No. 22,852  
Attorney Docket No. 09210.0004

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: )  
Burton G. CHRISTENSEN ) Group Art Unit: 1639  
Application No.: 09/457,926 ) Examiner: M. Shibuya  
Filed: December 8, 1999 )  
For: NOVEL ANTIBACTERIAL ) Confirmation No.: 8221  
AGENTS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 25, 2004 of the Examiner.

The items checked below are appropriate:

1.  A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].
2.  A Petition for extension of time to extend the period for response to November 25, 2004 is enclosed together with a fee of \$430.00.
3.  The Appeal Fee of \$340.00 (or \$170.00 if by small entity)  
 is enclosed or  is to be charged to Deposit Account No. 06-0916
4.  A check for \$770.00 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge  
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:

  
Mark D. Sweet  
Reg. No. 41,469

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
Customer No. 22,852

Dated: November 24, 2004